

#### DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND APPARATUS FOR CONTROLLING AN INTERNAL COMBUSTION ENGINE USING COMBUSTION CHAMBER PRESSURE SENSING

the specification of which was filed as U.S. Patent Application Serial No. 10/679,026 on October 3, 2003.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) or section 365(b) of any foreign application(s) for patent or inventor's certificate, or section 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

#### NONE.

I hereby claim the benefit under Title 35, United States Code, section 119(e) of any United States provisional application(s) listed below:

#### NONE.

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s), or section 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, section 112,

I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56(a) which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

#### NONE.

### I hereby appoint:

George P. McAndrews	Reg. No. 22,760
John J. Held	Reg. No. 21,061
Timothy J. Malloy	Reg. No. 25,600
William M. Wesley	Reg. No. 26,521
Lawrence M. Jarvis	Reg. No. 27,341
Gregory J. Vogler	Reg. No. 31,313
Jean Dudek Kuelper	Reg. No. 30,171
Herbert D. Hart III	Reg. No. 30,063
Robert W. Fieseler	Reg. No. 31,826
Thomas J. Wimbiscus	Reg. No. 36,059
Steven J. Hampton	Reg. No. 33,707
Priscilla F. Gallagher	Reg. No. 32,223
Stephen F. Sherry	Reg. No. 30,590
Patrick J. Arnold Jr.	Reg. No. 37,769
George Wheeler	Reg. No. 28,766
Janet M. McNicholas	Reg. No. 32,918
Ronald E. Larson	Reg. No. 24,478
Christopher C. Winslade	Reg. No. 36,308
Edward A. Mas II	Reg. No. 37,179
Gregory C. Schodde	Reg. No. 36,668
Edward W. Remus	Reg. No. 25,703
Donald J. Pochopien	Reg. No. 32,167
Sharon A. Hwang	Reg. No. 39,717
David D. Headrick	Reg. No. 40,642
Alejandro Menchaca	Reg. No. 34,389
Kirk A. Vander Leest	Reg. No. 34,036
Richard T. McCaulley, Jr.	Reg. No. 41,977
Peter J. McAndrews	Reg. No. 38,547
Leland G. Hansen	Reg. No. 50,731
James M. Hafertepe	Reg. No. 51,219
Jonathan R. Sick	Reg. No. 43,920
Eligio C. Pimentel	Reg. No. 42,076
James P. Murphy	Reg. No. 40,741
Dean A. Pelletier	Reg. No. 45,007
Michael B. Harlin	Reg. No. 43,658
James R. Nuttall	Reg. No. 44,978
Robert A. Surrette	Reg. No. 52,262
Timothy L. Harney	Reg. No. 38,174

Joseph M. Barich	Rea.	No.	42,291
Scott P. McBride	-		42,853
Patricia J. McGrath			44,919
Wilhelm L. Rao	-		52,151
Sandra A. Frantzen			48,799
Ronald H. Spuhler	_		52,245
Christopher V. Carani	_		44,049

the address and telephone number of each of whom is McAndrews, Held & Malloy, Ltd., 500 West Madison Street, 34th Floor, Chicago, Illinois 60661, (312) 775-8000, as our attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct telephone calls to Robert W. Fieseler at (312) 775-8000. Please direct facsimiles to Robert W. Fieseler at (312) 707-9155 or (312) 775-8100.

Please address correspondence to:

Robert W. Fieseler McAndrews, Held & Malloy, Ltd. 500 West Madison Street, Suite 3400 Chicago, Illinois 60661

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## BEST AVAILABLE COPY

Full name of first inventor Axel Zurloye
Inventor's signature Ill un Toy Date June 23, 2004
Residence Address 1015 Tanbark Drive Columbus, Indiana 47203
Citizenship: German
Post Office Address  Cummins Westport Inc.  1691 West 75 <sup>th</sup> Avenue  Vancouver, B.C., Canada V6P 6P2
Full name of second inventor <u>Dave Ruthmansdorfer</u>
Inventor's signature Wille Killen another Date 1/8/04
Residence Address 9278 Houston Road Freetown, Indiana 47235
Citizenship: American
Post Office Address  Cummins Westport Inc.  1691 West 75 <sup>th</sup> Avenue  Vancouver, B.C., Canada V6P 6P2
Full name of third inventor <u>Tim Frazier</u>
Inventor's signature Im June -21 -2004
Residence Address
Citizenship: American
Post Office Address <u>Cummins Westport Inc.</u> 1691 West 75 <sup>th</sup> Avenue  Vancouver, B.C., Canada V6P 6P2
Full name of fourth inventor <u>Jennifer Rumsey</u>
Inventor's signature Jump Runy Date June - 18-2004

# BEST AVAILABLE COPY

Residence Address	4601 Abberton Drive
	Greenwood, Indiana 46143
Citizenship: America	n
Post Office Address	Cummins Westport Inc. 1691 West 75 <sup>th</sup> Avenue Vancouver, B.C., Canada V6P 6P2